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20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**
22 **San Francisco Division**

23 FEDERAL TRADE COMMISSION, et al.

24 Plaintiffs,

25 – v. –

26 OPTIN GLOBAL, INC., et al.,

27 Defendants.

CV No. 05-1502-SC

**STIPULATED REQUEST FOR
MODIFICATION OF PRETRIAL
SCHEDULE**

ORDER

STIPULATED REQUEST FOR MODIFICATION OF PRETRIAL SCHEDULE

Pursuant to Local Civil Rules 6-2 and 7-12, Plaintiffs Federal Trade Commission (“Commission” or “FTC”) and People of the State of California, and Defendants Optin Global, Inc., Vision Media Limited Corp., Rick Yang, also known as Qing Kuang Yang, and Peonie Pui Ting Chen hereby stipulate to and jointly request that the Court modify the pretrial schedule adopted by the Court on August 29, 2005. In support of their request, the parties state as follows:

1. Plaintiffs filed their Complaint in this action against Defendants on April 12, 2005, alleging violations of Sections 5(a), 13(b), and 19 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(a), 53(b), and 57b (2004); Sections 5(a), 7(a), (d), and (f) of the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (“CAN-SPAM Act”), 15 U.S.C. §§ 7704, 7706(a), (d), and (f) (2004); and Sections 17203, 17204, 17206, 17529.6, 17535, and 17536 of the California Business and Professions Code, Cal Bus. & Prof. Code §§ 17203, 17204, 17206, 17529.6, 17535, and 17536 (West 1997 & Supp. 2004). Upon the stipulation of all parties, the Court entered a preliminary injunction against Defendants on June 21, 2005. On June 27, 2005, Defendants filed their Answer.

2. On August 29, 2005, upon the stipulation of all parties, the Court entered an initial case management order pursuant to Rule 16(b) of the Federal Rules of Civil Procedure setting forth a discovery timetable and pretrial schedule.

3. Since that the date, the parties have been actively engaged in settlement discussions and have been steadily progressing towards a negotiated settlement that would dispose of all of Plaintiffs’ claims against Defendants.

4. The parties agree that an extension of the discovery timetable and pretrial schedule is necessary to permit settlement discussions to continue and to give undersigned counsel sufficient time to obtain necessary authorizations to stipulate to the entry of a final judgment in this action.

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1 5. This is the first time the parties have sought an extension of the discovery timetable
2 and pretrial schedule in this action.

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4 WHEREFORE, the parties respectfully request that the Court modify the discovery
5 timetable and pretrial schedule in this civil action as follows, with dates and times for a motions
6 hearing, pretrial conference, and trial to be determined as the Court's calendar permits:

Description	New Deadline
Last Day to Amend Pleadings or Add Parties	1/20/06
Last Day for Factual Depositions	2/17/06
Last Day to File Supplementary Discovery Requests	3/17/06
Rule 26(a)(2) Disclosures	3/31/06
Last Day for Expert Depositions	4/21/06
Discovery Cut off	4/21/06
Last Day to File Dispositive Motions	6/12/06
Motions Hearing	TBD
Pretrial Conference	TBD
Trial	TBD

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Respectfully submitted,

/s/ 12/7/05
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 TRADE COMMISSION

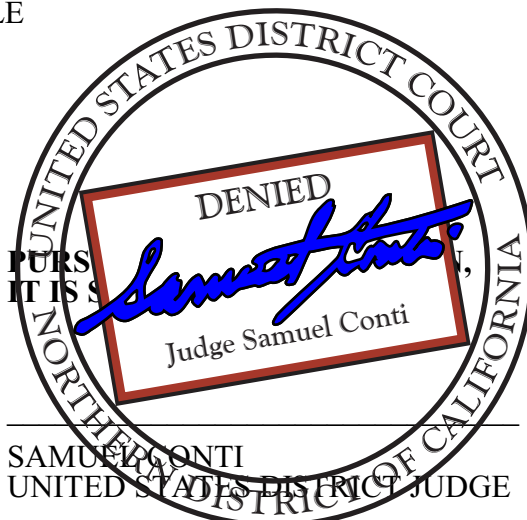
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COUNSEL FOR PLAINTIFF THE PEOPLE
 OF THE STATE OF CALIFORNIA

Date: 12/8/05



The trial has been set for 7/31/06
 SC.